

XAVIER BECERRA
Attorney General of California
ANTHONY R. HAKL
Supervising Deputy Attorney General
GABRIELLE D. BOUTIN, SBN 267308
ANNA T. FERRARI, SBN 261579
TODD GRABARSKY, SBN 286999
R. MATTHEW WISE, SBN 238485
NOREEN P. SKELLY, SBN 186135
Deputy Attorneys General
1300 I Street, Suite 125
P.O. Box 944255
Sacramento, CA 94244-2550
Telephone: (916) 210-6053
Fax: (916) 324-8835
E-mail: Gabrielle.Boutin@doj.ca.gov
*Attorneys for State of California, by and through
Attorney General Xavier Becerra*

(Additional counsel listed on signature panel)

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

**STATE OF CALIFORNIA, by and through
Attorney General Xavier Becerra;
COUNTY OF LOS ANGELES; CITY OF
LOS ANGELES; CITY OF FREMONT;
CITY OF LONG BEACH; CITY OF
OAKLAND; CITY OF STOCKTON,**

Plaintiff,

V.

WILBUR L. ROSS, JR., in his official capacity as Secretary of the U.S. Department of Commerce; U.S. DEPARTMENT OF COMMERCE; RON JARMIN, in his official capacity as Acting Director of the U.S. Census Bureau; U.S. CENSUS BUREAU; DOES 1-100.

Defendants.

3:18-cv-01865

**JOINT STIPULATION AND
[PROPOSED] ORDER REGARDING
EVIDENCE RELATING TO
PLAINTIFFS' EXPERT WITNESSES
DRS. HERMANN HABERMANN AND
LISA HANDLEY**

Dept: 3
Judge: The Honorable Richard G.
Seeborg
Trial Date: January 7, 2019
Action Filed: March 26, 2018

1 **JOINT STIPULATION REGARDING EVIDENCE RELATING TO TESTIMONY OF**
2 **PLAINTIFFS' EXPERT WITNESSES DRs. HERMANN HABERMANN AND LISA**
3 **HANDLEY**

4 To promote efficiency and preserve judicial resources, plaintiff State of California and
5 defendants U.S. Department of Commerce, Wilbur Ross, Jr., U.S. Census Bureau, and Ron
6 Jarmin have reached an agreement regarding certain trial exhibits that relate to the trial testimony
7 of plaintiff's expert witnesses Drs. Hermann Habermann and Lisa Handley. The Parties hereby
8 stipulate as follows:

9 1. Drs. Habermann and Handley previously testified as expert witnesses on behalf of the
10 plaintiffs in *State of New York, et al. v. United States Department of Commerce, et al.*, pending
11 before the U.S. District Court for the Southern District of California, Case No. 1:18-cv-02921.

12 2. The trial testimony of Dr. Habermann in the above-captioned matter, consisting of a
13 trial affidavit and trial testimony from the *State of New York, et al.* matter, is set forth at PTX-821
14 and PTX-820, respectively. These exhibits were admitted into evidence on January 14, 2019.

15 2. The trial testimony of Dr. Handley in the above-captioned matter, consisting of trial
16 testimony from the *State of New York, et al.* matter, is set forth at PTX-819. This exhibit was
17 admitted into evidence on January 14, 2019.

18 3. The following trial exhibits relating to the testimony of Dr. Habermann in the above-
19 captioned matter shall be admitted into evidence: PTX-262, PTX-267, PTX-268, PTX-269, PTX-
20 610, PTX-611, PTX-612, PTX-613, PTX-618. These documents shall be admitted separate from
21 and in addition to those exhibits admitted or otherwise identified on the record during the January
22 14, 2019, trial session.

23 4. Drs. Handley's and Habermann's testimony in the *State of New York, et al.* matter
24 contains references to trial exhibits from that matter, which have been numbered separately as
25 exhibits in the above-captioned matter. The parties acknowledge and agree that the table attached
26 as **Exhibit A** to this stipulation accurately cross-references trial exhibits relating to Drs.

1 Habermann's and Handley's trial testimony from the *State of New York, et al.* matter with the
2 corresponding exhibits from the above-captioned matter.

3 **IT IS SO STIPULATED.**

4 Dated: January 17, 2019

XAVIER BECERRA
Attorney General of California
ANTHONY R. HAKL
Supervising Deputy Attorney General
GABRIELLE D. BOUTIN
ANNA T. FERRARI
TODD GRABARSKY
NOREEN P. SKELLY
R. MATTHEW WISE
Deputy Attorneys General

10 */s/ Anna T. Ferrari*
11 ANNA T. FERRARI
12 Deputy Attorney General
13 *Attorneys for Plaintiff State of California, by and*
14 *through Attorney General Xavier Becerra*

15 Dated: January 17, 2019

16 JOSEPH H. HUNT
17 Assistant Attorney General

18 BRETT A. SHUMATE
19 Assistant Attorney General

CARLOTTA P. WELLS
20 Assistant Branch Director

21 */s/ Carlotta P. Wells*
22 KATE BAILEY
23 MARSHA EDNEY
24 STEPHEN EHRLICH
25 CAROL FEDERIGHI
Trial Attorneys
United States Department of Justice
Civil Division, Federal Programs Branch
1100 L Street NW
Washington, DC 20530
Phone: (202) 514-9239
Email: carlotta.wells@usdoj.gov
Attorneys for Defendants

FILER'S ATTESTATION

Pursuant to Civil Local Rule 5-1(i)(3), regarding signatures, I hereby attest that concurrence in the filing of this document has been obtained from all signatories above.

Dated: January 17, 2019

/s/ Anna T. Ferrari
ANNA T. FERRARI

[PROPOSED] ORDER

2 Based on the parties' Stipulation to Admit Evidence Relating to Testimony of Plaintiffs'
3 Expert Witness Dr. Hermann Habermann, and good cause appearing, the following trial exhibits
4 shall be admitted into evidence at trial in the above-captioned case: PTX-262, PTX-267, PTX-
5 268, PTX-269, PTX-610, PTX-611, PTX-612, PTX-613, PTX-618.

IT IS SO ORDERED.

Dated: 1/18/19

Rich Seeborg
HON. RICHARD SEEBORG
United States District Judge